

FEB 16 2010

Attorney Docket. No. 47563.0015

Application No. 10/726,994

REMARKS

This responds to the Office Action dated 16 November 2009. Claims 1-6, and 24-29 have been allowed. Claims 7, 13, and 21, have been amended. Therefore, claims 1-18, 21, 22, 24-31 remain pending in the application.

Interview Summary

On 16 February 2010, the undersigned attorney and Examiner Julian Woo engaged in a telephonic interview. The Examiner indicated that certain amendments to the claims, as outlined above, appear to distinguish over the art and therefore appear to place the claims in condition for allowance. The Examiner requested Applicant to provide an after-final amendment to follow up the telephonic interview.

Remarks

Claim 31 recites, and claims 7, 13, and 21 have been amended to recite, a snare and a needle/suture inserted through a wall of the blood vessel at locations that are "laterally adjacent" to the opening in the vessel. In contrast, Sierra et al. do not insert a snare "laterally adjacent" the vessel opening, but rather within the vessel opening. Accordingly, Applicant respectfully submits that the invention as required in these claims now distinguishes over the art of record.

Conclusion

For at least the foregoing reasons, Applicants believe that each of the presently pending claims in this application is in immediate condition for allowance. Accordingly, Applicants respectfully request a favorable action on the merits. If there remain any unresolved issues,

Attorney Docket No. 47563.0015

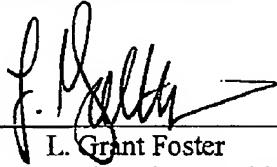
Application No. 10/726,994

respectfully request a favorable action on the merits. If there remain any unresolved issues, Applicants invite the Examiner to telephone the undersigned attorney to expedite the handling of this matter.

Applicants expressly disclaim all arguments, representations, and/or amendments presented or contained in any other patent or patent application, including any patents or patent applications claimed for priority purposes by the present application or any patents or patent applications that claim priority to this patent application. Moreover, all arguments, representations, and/or amendments presented or contained in the present patent application are only applicable to the present patent application and should not be considered when evaluating any other patent or patent application.

Respectfully submitted,

Date 16 FEBRUARY 2010

By 
L. Grant Foster
Registration No. 33,236